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December 16, 2022

VIA ECF

The Honorable Denise L. Cote
United States District Judge
United States District Court for the Southern District of New York
40 Foley Square, Room 18B
New York, New York 10007

RE: Consented To Request for Extension of Time
Pessin v. JPMorgan Chase U.S. Benefits Executive et al, Case No. 22-cv-02436

Dear Judge Cote:

As counsel for Defendants JPMorgan Chase US Benefits Executive, Board of Directors of JPMorgan Chase Bank, N.A. and JPMorgan Chase & Co., and JPMorgan Chase Retirement Plan ("Defendants") in the above-referenced matter, we write to request an extension of time for Defendants to file any motion for attorneys' fees and costs under Federal Rule of Civil Procedure 54 and Local Civil Rule 54. This request is consented to by Joseph Pessin ("Plaintiff").

Under Federal Rule of Civil Procedure 54 and Local Civil Rule 54, the deadline for Defendants to file any motion for attorneys' fees under ERISA, 29 U.S.C. § 1132(g)(1), and application to tax costs is December 23, 2022. Plaintiff intends to appeal the Court's Order and Judgment in this matter. Defendants are considering whether to seek their attorneys' fees and costs. Plaintiff believes that an award of fees would not be appropriate. But the parties recognize that the outcome of Plaintiff's appeal could impact whether Defendants seek their attorneys' fees, whether an award of fees is appropriate, and the amount of fees that might be awarded. As such, the parties believe it would be appropriate and beneficial to extend the deadline for Defendants to seek their attorneys' fees and costs until 30 days after the resolution of Plaintiff's appeal to the Second Circuit.

This is Defendants' first request for an extension of time to move for fees and costs, and no other scheduled dates are affected by the instant request. As mentioned, Plaintiff consents to this request.

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*Granted.
Denise Cote
12/16/22*

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We thank the Court for its attention to and consideration of this matter.

Respectfully submitted,

/s/ Jeremy P. Blumenfeld

Jeremy P. Blumenfeld

cc: All Counsel of Record (via ECF)